



State of Utah

JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

## Department of Human Services

LISA-MICHELE CHURCH  
Executive Director

Division of Juvenile Justice Services

BLAKE D. CHARD  
Director

### MEMORANDUM

Date: March 29, 2005

To: Program Directors, Assistant Program Directors, Supervisors

From: Blake Chard

Subject: Education Assistance

Based on recommendations from an ad hoc Educational Assistance Committee chaired by Malcolm Evans, the following will be used to manage education assistance for the next fiscal year, which begin on July 1, 2005.

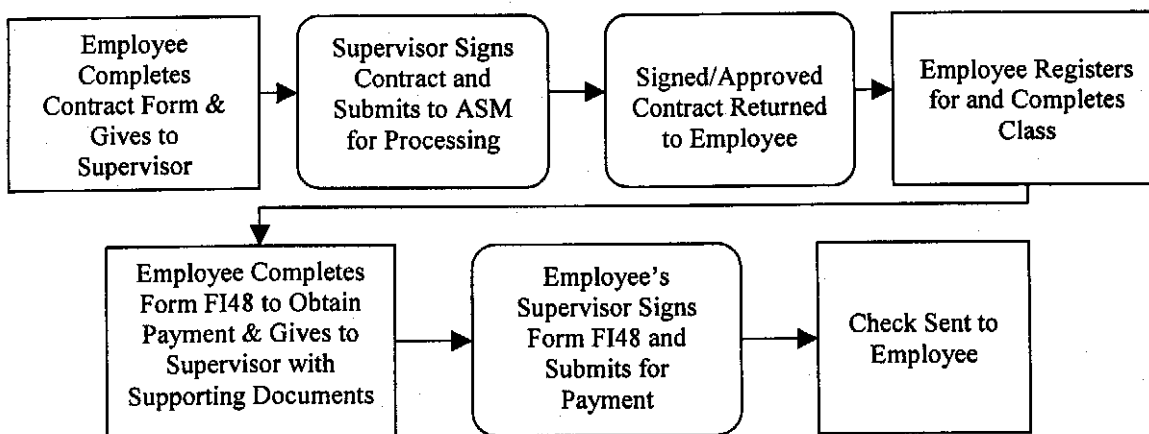
1. Education assistance will be extended to undergraduate degrees and/courses that are job related. Qualified employees may receive education assistance if they:
  - a. Are pursuing a degree in a job related degree, such as sociology, social work, psychology, recreational therapy, criminal justice, child or human development.
  - b. Taking classes that are job related as approved by the Program Director, whether or not the employee intends to continue on to get a degree may be reimbursed through education assistance.
  - c. Employees in an accounting, management, etc. job may receive education assistance for a related degree, so they may improve their education.
2. The Division will budget \$170,000 for education assistance Division wide. Employees will be offered education assistance in accordance with the Department Educational Assistance policy on a first come, first served basis. Employees will only be reimbursed up to \$2500 in any calendar year.
3. Education Assistance will be reimbursed at 75% of tuition. This does not include lab fees or books or mandatory 'mandatory fees', 'registration fees or required fees' that the colleges have imposed on students as part of registration.
4. The State Administrative Office will track Educational Assistance expenditures which includes, who has been approved, what Program they worked in, who was not approved, why, and those that leave JJS prior to working for one year after completing the course(s) for which they were paid.
5. Employees are responsible to pay back any education assistance if they leave State employment (see DHS policy 02-11 (8)) before completing at least twelve (12) months of employment after course work is completed.

## DIVISION OF JUVENILE JUSTICE SERVICES EDUCATIONAL ASSISTANCE PROCESS FOR EMPLOYEES

**Before beginning, please answer the following questions to see if you are eligible for educational assistance.**

- |  |   |                                       |
|--|---|---------------------------------------|
| 1. Are you a full time career service employee (non-probationary), or career exempt Schedule AD, AR or AS employee eligible for benefits?  | { | Yes – Continue<br>No – Stop           |
| 2. Do you have a successful or higher performance evaluation within the last twelve months?  | { | Yes – Continue<br>No – Stop           |
| 3. Have you been subject to a corrective or disciplinary action within the last twelve months?   | { | No – Continue<br>Yes – Stop           |
| 4. Are you receiving any other financial assistance that does not need to be reimbursed?   | { | No - Continue<br>Yes – Stop           |
| 5. Have you already received \$2500 in educational assistance since January 1 of the current year?   | { | No - Continue<br>Yes - Stop           |
| 6. If you are required to complete a practicum, do you have a completed and approved Utah DHS Conflict of Interest Declaration on file, stipulating stipends and hours to be worked? | { | Yes - Continue<br>No – Complete first |

**The following flow-chart briefly outlines the process in obtaining your contract and reimbursement:**



The Department's Educational Assistance Program is established and maintained consistent with the State of Utah's Human Resource Management Rules and Section 127 of the Internal Revenue Service Code. Approval for participation in the program shall be determined by the following:

- A. Availability of funds
- B. The number of requests
- C. Job relatedness and benefits of course work.

In order to apply for education assistance, an employee shall:

- A. Be a full-time career service employee (non-probationary) or career exempt Schedule AD, AR or AS employee eligible for benefits.
- B. Have a successful or higher performance evaluation within the last twelve (12) months
- C. Not subject to a corrective or disciplinary action within the past twelve (12) months

The Department of Human Services Education Assistance Contract shall be completed and approved consistent with the policy prior to the start date of the course for which reimbursement is requested. The following documents must be submitted in order for educational assistance reimbursements to be processed:

- A. Approved Educational Assistance Contract
- B. Completed Form FI48
- C. Proof of passing grade or satisfactory completion
- D. Original paid receipts.

DIVISION OF JUVENILE JUSTICE SERVICES  
EDUCATIONAL ASSISTANCE PROCEDURE

The Division of Juvenile Justice Services and the employee agree to enter into a contract whereby the Division reimburses the employee for tuition and other costs of education up to \$2,500 in a calendar year, and the employee provides 1) documentation that the class meets the requirements of the Division, 2) documentation of completing the class with a passing grade, and 3) original receipts of expenses not paid by another entity.

**Box 1 Employee Complete Contract Form**

Obtain contract form from DHS web site at [www.hspolicy.utah.gov/](http://www.hspolicy.utah.gov/), Department of Human Services Policy 2-11. Complete it and send or give it to your supervisor. Attach documentation that the course meets the requirements of the Division, such as that the course meets the requirements for a clinical license, or other limitations that the Division may apply.

**Box 2 Employee's Supervisor Sign Contract**

Supervisor sign the contract. The supervisor signs that format is correct, but final approval comes from the Division Director. By signing, the supervisor assures that the employee 1) is a full-time career service employee who has completed his or her probationary period, 2) had a successful or higher evaluation within the last 12 months, and 3) has not been subject to corrective or disciplinary action within the last 12 months. The Supervisor submits the contract to the Administrative Services Manager.

**Box 3 Admin Services Manager Review Contract**

The Administrative Services Manager checks the request against the budget to ensure that there are funds to cover the request, and begins tracking the contract for proper signatures, filing and payment. The ASM checks to see that the employee will not be receiving more than \$2,500 per calendar year, and that the signing of the contract is timely, i.e. is before the beginning of course work. For employees not under a Program Director (such as employees at the state office), the Division Director of Administrative Services performs this function, and others, below, designated for the Admin Services Manager.

**Box 4 Program Director Review Contract**

The Program Director reviews and initials the contract for proper format, and to maintain knowledge of who is receiving educational assistance. The Program Director submits the contract to the Division Director.

**Box 5 Division Dir of Admin Services Track Expenditures**

The Division Director of Administrative Services tracks expenditures to ensure that the Division does not exceed the amount allocated to Educational Assistance during a fiscal year. Expenditures are tracked by program and function. The amount of funds remaining is communicated monthly to the programs.

**Box 6 Division Director Sign Contract**

The Division Director Signs the contract, committing the Division to pay for the agreed costs if all requirements are met. This responsibility may not be delegated. The Division Director returns the signed contract to the respective Administrative Services Manager.

**Box 7 Admin Services Manager File Contract**

The Administrative Services Manager establishes a file for signed contracts of employees in the program, and maintains a record of contracts and payments. The file is separate from the employee's personnel file, and is readily available for audit.

**Box 8 Admin Services Manager Send Copy of Signed Contract to Employee**

The Administrative Services Manager ensures that the employee receives a copy of the signed contract.

**Box 9 Employee Complete Class**

It is the employee's responsibility to pay the costs of the course, successfully complete the course, and obtain receipt for payment, documentation of course completion and passing grade from the educational institution.

**Box 10 Employee Complete Form FI48**

The employee completes form FI48, using the "Education Non-Tax" line to record costs and the proper accounting codes, which may be obtained from the Administrative Services Manager. Attach original receipts for payment, and documentation of course completion and passing grades to the FI48 form. The FI48 form may be obtained from the Division of Finance Web Site, [finance.utah.gov/forms/index.htm](http://finance.utah.gov/forms/index.htm). The employee submits the completed form to his or her supervisor.

**Box 11 Employee's Supervisor Sign Form FI48**

The Supervisor reviews the receipts and documentation for accuracy and appropriateness, signs the form, and forwards it to the Administrative Services Manager.

**Box 12 Admin Services Manager Process Form**

The Administrative Services Manager processes the form FI48 for payment in FINET, then files the payment record with the contract in the Program Educational Assistance File. The records are retained for 7 years.

**Box 13 Send Check to Employee**

The employee receives the check through the FINET payment process.

**Box 14 Admin Services Manager Submit Report of Education Assistance Payments to Division Annually.**

The Administrative Services Manager submits a report for the calendar year to the Division Administrative Services Director by February 21 of the following year. The Division collates all information for the Division and submits a report to the Department by March 1.

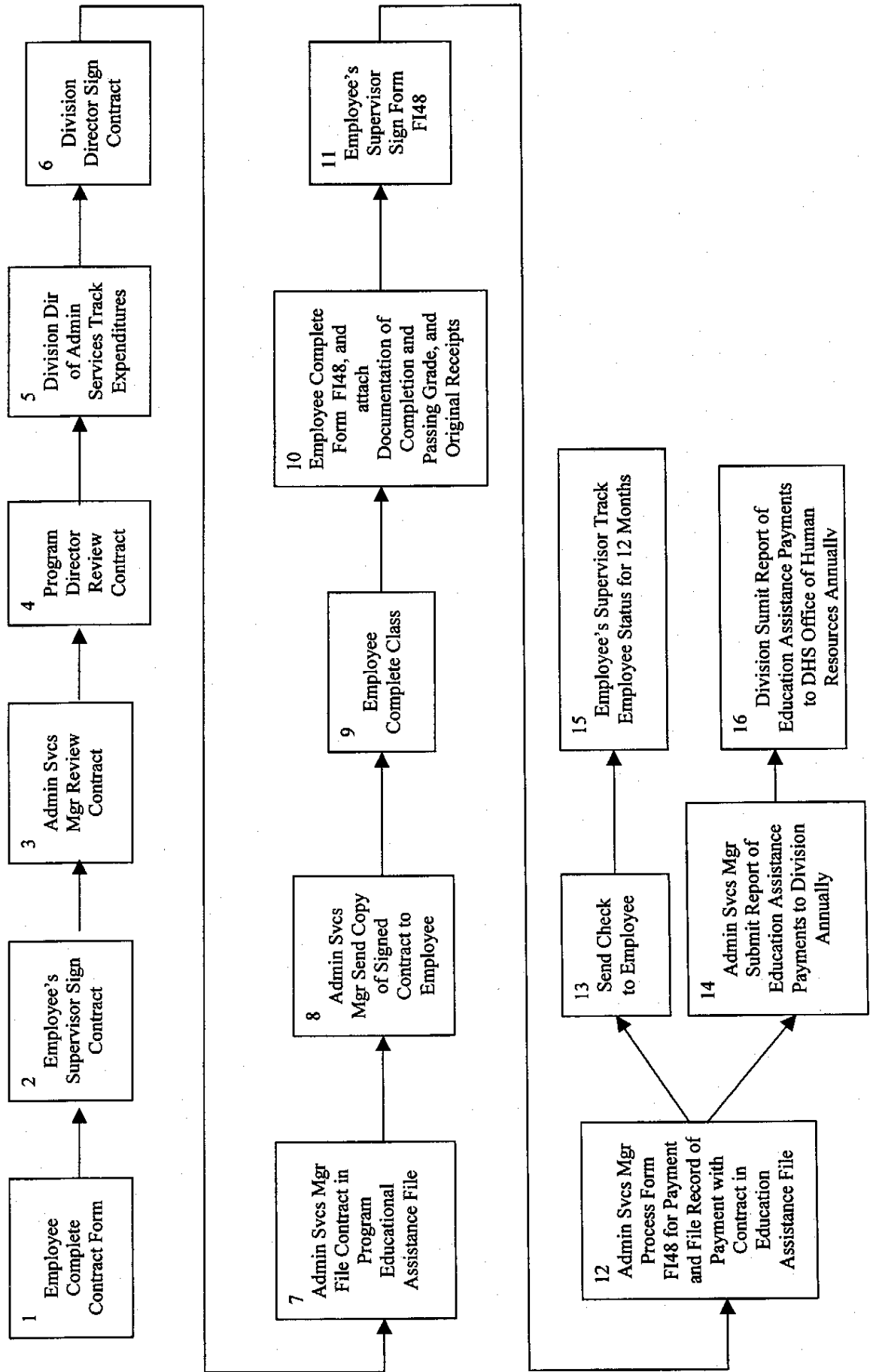
**Box 15 Employee's Supervisor Track Employee Status for 12 Months**

The employee's supervisor tracks the employee's status for twelve months following the payment of Educational Assistance. If the employee leaves state employment before the end of twelve months, the supervisor notes the amount owed on the exit interview. The supervisor collects reimbursement from the employee, prorated for the amount of time the employee was employed by the State after receiving Educational Assistance and forwards it to the Administrative Services Manager for processing. The supervisor may contact the Administrative Services Manager regarding when payments were made to the employee.

**Box 16 Division Submit Report to Department**

The Division Director of Administrative Services submits a report of all educational assistance provided by the Division during the Calendar year, by March 1 of the following year.

DIVISION OF JUVENILE JUSTICE SERVICES  
EDUCATIONAL ASSISTANCE PROCESS





State of Utah

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

## Department of Human Services

LISA-MICHELE CHURCH  
*Executive Director*

Division of Juvenile Justice Services

DAN MALDONADO  
*Director*

TO: All JJS Employees  
FROM: Dan Maldonado  
DATE: February 7, 2006  
SUBJECT: Training Issues/Clarification

This memo reiterates existing policy, and addresses information that is important for you to understand as a JJS employee attending any training event. Please review the information carefully. It will be the responsibility of supervisors to assure that the form is signed and placed in the employee's personnel file.

- I. PD's are to outline training expectations with all APD's and Supervisors. Supervisors are then responsible to review these professional expectations with their employees **prior** to them attending any training events. Both employee and supervisor will sign to acknowledge they have reviewed and understand the expectations and this form is placed in the employee's personnel file.
- II. Professional expectations at training events are:
  - A. **Dress code requirements** — see policy if you have questions. Anyone showing up in shorts, hats, flip-flops, etc. will be turned away. If turned away, the employee may enter training if they return in proper attire within 15 minutes of the scheduled starting time of the training. The only exception is that employees may wear sweats or workout attire to PSC training — but still no shorts.
  - B. **Professional conduct** at training includes:
    - No knitting, chewing tobacco, reading of books, newspapers, magazines, etc. during training
    - Professional conduct with presenters
    - Professional conduct with training staff
    - Professional conduct with other training participants
    - No cell phone usage (voice or text, incoming or outgoing), personal PDA, or personal computer usage during training
  - C. **Punctuality**—JJS employees are professionals and are expected to be in attendance at trainings at the scheduled starting time and to remain until the training has concluded.

- To allow for unforeseen circumstances, employees will be admitted up to 15 minutes after the scheduled starting time, but nobody will be admitted later than 15 minutes, even if the presenter/trainer has not started the presentation.

- If an employee is late for the Basic Orientation Academy, the employee will be dismissed and on his/her own time until the next scheduled academy day. The employee will have to make-up that missed day at the next scheduled Basic Orientation Academy.

- If employees are in route to training and realize that they are going to be late, regardless of the reason (traffic delays, vehicle break down, etc.), they are to:

1. **Call supervisor ASAP and notify him/her.** If supervisor is unavailable, the employee calls APD or PD. That supervisory person will immediately call the training unit and notify them that employee will not be attending. If it is a mandatory training the supervisor will schedule the employee at the next available training. If the employee is not able to complete all mandatory trainings or required training hours in a fiscal year they cannot receive an "exceptional" evaluation for that year.
2. **Return to their home base.** If schedules have been modified to bring in other staff to cover shift, the employee is on annual leave for the remainder of the day. If the employee is new or doesn't have annual leave, the time is leave without pay.

- If an employee finds out in advance that they will not be able to attend any or part of a training event due to illness, scheduling problems, court or YPA hearing, etc. they are to notify their supervisor or APD as soon as possible. The APD or supervisor is to immediately notify the training unit via e-mail that either the employee will not be attending and the slot is open for someone else to attend, or submit the name of a replacement employee. Employees are still not excused from meeting training requirements to obtain an "exceptional" evaluation for the year.

- If an employee needs to leave training early due to family emergency or illness, he/she needs to advise training staff and immediate supervisor as soon as possible. For all other circumstances, the employee needs to get approval from his/her PD or designee prior to leaving the training. The PD will advise the training unit and supervisor/APD of decision. Employee will be on own time for such an event and will be required to re-attend missed mandatory training.

### III. When an incident occurs:

#### A. Punctuality, missed training, and dress code violations:



1. After denying admittance or learning of employee's early departure from training, training staff e-mails PD (cc'ing JJS Deputy Director) notifying them of employee not being admitted to training due to tardiness, dress code violation, or for failing to show-up to scheduled training.
2. PD updates a log that will be used to monitor for repeat offenders/programs.
3. PD contacts APD and supervisor, explains situation and asks them to investigate and make recommendation as to whether discipline is warranted or not; if not, why.
4. PD may ask for supporting documentation such as court calendar, doctor's note, incident report, staff schedule, traffic report, towing bill, vehicle repair bill, etc. as support for recommendation especially where other employees from the same geographic area may have been punctual.
5. PD will then accept or override APD/supervisor recommendation to be consistent with all programs within function. Levels of discipline will be:
  - 1<sup>st</sup> time—memorandum of understanding from supervisor
  - 2<sup>nd</sup> time—written warning in personnel file
  - 3<sup>rd</sup> time—suspension
6. In the event supervisor is found to have neglected responsibility, the same levels will apply.
7. PD will e-mail training director (cc'ing JJS Deputy Director) to advise that either the incident was excused or that discipline occurred. Deputy Director will monitor for consistency within the division.

**B. Professional conduct violations:**

1. The training staff will inform employee that his/her behavior is unacceptable and ask them to change and be more professional.
2. If behavior continues, the training staff will place a phone call to employee's immediate supervisor (or APD or PD or Deputy Director or Division Director if none of the others are available). The employee will then be directed by that person to leave the training. Refusal to do so immediately may result in termination.
3. Steps 1-7 above will then be followed, except the levels of discipline will be either "written warning" in personnel file or "suspension" based on the seriousness of the employee's misconduct.

I have read the above standards for professional conduct at training events and have reviewed them with my supervisor. I understand the professional expectations of JJS employees at these events and the consequences for violating these standards. I agree to abide by these standards.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date



State of Utah

Department of  
Human Services

OLENE S. WALKER  
*Governor*

GAYLE F. McKEACHNIE  
*Lieutenant Governor*

ROBIN ARNOLD-WILLIAMS, DSW  
*Executive Director*

BLAKE D. CHARD  
*Director*  
*Division of Juvenile Justice Services*

To: All JJS Employees  
From: Blake D. Chard  
Date: December 2, 2004  
Subject: Training

Effective immediately, the following policy will be enforced.

If you are registered to attend any training and are unable to attend, you must provide a minimum of 24-hour notification (excluding weekends) to the Training Unit. If you fail to provide notification, you will be required to reimburse the cost of registration and lodging paid by the Division. This also applies for rooms that are reserved for employees but are not used, even when the employee attends the training but makes other lodging arrangements. The Training Director may consider exceptions on a case-by-case basis that are beyond the employee's control. It is expected that the employee will reimburse the Division within 30 days of the conference/training. If reimbursement is not received after 30 days, the Division will have the full amount deducted from the employee's next paycheck.

It is the employee's responsibility to ensure all training hours are submitted to the Training Unit within one week after the training has been completed. When an employee fails to submit the required documentation verifying attendance to the Training Unit, the employee will be required to reimburse the Division for any cost incurred by the Division for the training.

I realize this may seem harsh, but with the limited resources available to us and the number of employees who wish to participate in training and conferences, I felt it was necessary to ensure the Division gets the most out of our training dollars.

To: Blake, Programs Directors, Assistant Program Directors and Administrative Services Managers

Re: Incentive Awards Instructions

Any employee of the Division may nominate a Division employee(s) for an incentive award. Outside individuals who have direct knowledge of the achievement of the Division employee(s) may nominate that employee(s) for an incentive award

The nominator **must type** in the information on the **Division of Juvenile Justice Services, Incentive Award Nomination Form**, and attach a **typed justification** for the nomination. **If the information is not typed, it will be sent back to the nominator. If the nomination isn't on the correct form, it will be sent back.** The form and the policy can be found at [www.hspolicy.utah.gov/jjs](http://www.hspolicy.utah.gov/jjs). The policy reference is 1-17, with the Incentive Award Form directly below. (the form has a revision date in the upper right corner, **October 20, 2004.**)

The justification **must be specific**. The justification **cannot** be documentation such as, "does a great job, does exceptional work, promotes creative ideas, goes above and beyond their normal duties." **These nominations with this type of justification will be sent back, with a recommendation to provide more detailed information.**

The justification needs to explain, in detail, what the employee did that was above and beyond their regular job duties, not that they did an exceptional job at their regular job duties. For example: "Sally, a Juvenile Justice Services Counselor, created a form on the computer that made a process more accurate and quick. The form was implemented and is saving our counselors many hours of report writing." This is a more specific justification.

The **supervisor of the nominee must type** their input in the section provided on the Division of Juvenile Justice Services, Incentive Award Nomination Form.

The **Assistant Program Director must sign** the Division of Juvenile Justice Services, Incentive Award Nomination Form in the provided spot. **Before the APD signs off on the form, the APD must contact his/her Administrative Services Manager, (Cheryl, Cory, Shaun, John) for their program, to make certain they have the money in their personnel budget to cover the incentive award.**

The Assistant Program Director shall coordinate nominations as soon as possible **but no later than thirty (30) days from receipt.**

Then the APD must send the Form(s) with the Justification to the **appropriate Program Director, (Gaby, Cecil, Dave, Malcolm) who will then send the nominations to the Division Administrative Secretary, Judy Hammer, at the DHS Administration building.**

The Incentive Awards Committee will meet at least quarterly, or more often as deemed necessary.

Nominations may be submitted at any time during the fiscal year, **but need to be submitted no later than May 1<sup>st</sup>**, to be considered for that fiscal year.

**Again, nominations that are written, or on the wrong form, or don't have all the required signatures, or don't have detailed justification, WILL BE SENT BACK!!!**

If the Incentive Awards Committee **adjusts the amount** on the Incentive Awards Form, it will be sent back to the Assistant Program Director for further review and/or more detailed justification from the nominator. Then it will need to be sent back to the Division Administrative Secretary, Judy Hammer, and reviewed by the Incentive Awards Committee.

**All Incentive Awards approved by the Incentive Awards Committee, will be reviewed and signed by Blake.**

**cc: Incentive Awards Committee**

January 5, 2006

Dear Private Provider,

Recently we received notice from our Attorney General representative and the Department's administration about possible procurement law violations. Utah Code 63-56-1001, Felony to accept emoluments states:

Any person acting as a procurement officer for the state of Utah or any subdivision thereof, or who in any official capacity participates in the procurement of any supplies, services, construction, real property, or insurance for any such political units, is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person interested in the sale of such supplies, services, construction, real property, or insurance.

An emolument is defined as compensation or payment from an office or employment.

There is no question that JJS Case Managers qualify as procurement officers for the State of Utah as they contract for services for the youth in their charge. As such, it is a violation of this statute for them to receive any gifts, compensation, or other forms of reward from the private providers they contract with or have the potential to contract with. To be more specific, it would be a violation of this statute for a case manager to receive a Christmas gift from a private provider, have a private provider buy a meal for that case manager, or pay for a round of golf for that case manager to name just a few examples. There are no dollar limits.

Our case managers are being instructed in this statute, but I am asking your help also. Would you please refrain from offering any case managers gifts, meals, or rewards of any kind. I do not want to have any case manager lose their position for violation of this statute. Thanks for your help,

Sincerely,

Cecil E. Robinson  
Program Director  
Office of Community Programs

## MEMORANDUM

Date: February 23, 2005

To: Program Directors, Assistant Program Directors, Supervisors

CC: John Mathew, OHR

From: Blake Chard

Subject: Personnel Actions

This memo replaces the memo of the same subject dated November 16, 2001.

- 1) When hiring staff from outside of State Government, offers above the entry step to potential candidates may be given only with prior written approval from the Division Director and the DHS Office of Human Resources.
- 2) Internal promotions and hiring:
  - a) Schedule AJ JJS Technician I may be promoted to JJS Technician II after completing all mandatory training and 1500 documented hours of work for the division as a JJS Tech I or higher. All AJs (Temporary, Seasonal and Part-time) will be paid at entry level for all positions except Food Service workers.
  - b) When posting a position for internal recruitment within JJS, at a minimum, post it to the geographic area where the opening applies. That is, if a position opens in Salt Lake O&A, post it to all programs within the Salt Lake County area. Posting to outside areas is encouraged to offer opportunities for staff that are willing to relocate or commute to apply.
  - c) The JJSC I position is the entry-level counselor position for JJS and requires 4 years of education and/or experience in addition to passing the test. Any combination is sufficient.
  - d) Promotions to JJSC II automatically occur after an additional 2 years of counselor level experience or related masters level education, upon supervisor recommendation and approval of the Division Director.
  - e) Promotions to JJSC III and JJS Supervisors may occur after an additional 1 year of counselor experience.



State of Utah

**Department of  
Human Services**

**OLENE S. WALKER**  
*Governor*

**GAYLE F. McKEACHNIE**  
*Lieutenant Governor*

**BIN ARNOLD-WILLIAMS, DSW**  
*Executive Director*

**BLAKE D. CHARD**  
*Director*  
*Division of Juvenile Justice Services*

To: Program Directors  
Assistant Program Directors

From: Blake D. Chard

Date: June 15, 2004

Subject: Acceptable Use Policy / Juvenile Justice Services Logo

By using the JJS logo, users agree to the following terms and conditions:

Users may not remove or alter any element of the logo; i.e. color, type, etc. The colors are Pantone 228 Blue and Warm Grey 6. Users may reduce or enlarge the logo so long as the Division name and BARJ words remain visible. The logo image includes the words: Juvenile Justice Services, Accountability, Competency and Protection. Users may not animate, morph or in any other way distort its appearance.

The user must be truthful and not misleading. The JJS logo may not be used to imply any relationship with, endorsement or sponsorship by JJS that is not true. Users may not use the JJS logo in connection with any disparaging statements about JJS, or statements that otherwise reflect poorly on JJS.

JJS reserves the right, at any time and without cause, to modify or suspend these policies and withdraw any permission granted under this agreement to use the JJS logo.

No commercial use is authorized and the logo cannot be used on merchandise for sale. The only exception is for items such as shirts, caps, pens, etc., that are sold to Division employees.

In addition, the logo may not be displayed as a feature or design element of any other logo. However, other company and government agency logos may appear on the same page. If an organization or event is endorsed by JJS, they will be allowed to use the logo on related printed material (signs, banners, brochures, flyers). The JJS logo must be used as given to the organization/event and may not be altered in any way except that users may reduce or enlarge the logo so long as the Division name and BARJ words remain visible.

The JJS logo is authorized to identify projects receiving JJS funding.

The JJS logo may be used as a link to the JJS home page or to identify a JJS client or partner. It may not be used to link to other pages on web sites or to link to any other third party web sites. JJS reserves the right to approve or disapprove the use of the JJS logo on any web page.



State of Utah

JON M. HUNTSMAN, JR.  
Governor

GARY R. HERBERT  
Lieutenant Governor

## Department of Human Services

LISA-MICHELE CHURCH  
Executive Director

Division of Juvenile Justice Services  
DAN MALDONADO  
Director

Training Center  
SHARON OSBORNE  
Training Director

To: JJS Supervisors, Superintendents,  
Assistant Program Directors, and Program Directors  
From: Dan Maldonado  
Subject: Training/Basic Academy  
Date: August 12, 2005

In 1989, the United States Supreme Court ruled on the issue of liability of training in juvenile corrections. (*City of Canton vs. Harris*) They ruled that the failure to train might be a basis for liability under a 1983 civil action when there is "deliberate indifference" by a government agency. Since then, the Division has developed a policy and training program that covers most of the elements listed in the decision. First, Division training deals with decisions that employees have the responsibility of making such as medical screening, conflict resolution and daily care of youthful offenders. Second, the training is directed toward that decision-making process. Third, training is made available and documented, and employees are tested to a level of competency.

It is very important that proper and complete training be done within a reasonable time frame.

The basic assumption is that a new employee can and will complete the academy within a year of being hired as a full time employee. By definition, completion of the academy means attending all sessions and successfully taking and passing tests given at the end of each week. An employee who fails the test at the end of the first week, **will be dropped from the academy and rescheduled to attend the next academy in its entirety.** Employees requiring special accommodations need to inform the Training Unit at the beginning of the academy.

Attendance is imperative. Supervisors will schedule employees to attend the academy 8 hours a day, 5 days a week, Monday through Friday. While employees are in the academy, they are not to be scheduled to work any other shifts or assignments. Unless an employee has an excused absence, an employee who fails to attend a class or is more than 15 minutes late for any class, **will be dropped from the academy and rescheduled to attend the next academy.** An excused absence is when an employee is unable to attend because of circumstances beyond his/her control and must use sick (with a doctor's note), funeral, jury or military leave.

**Utah!**  
Where ideas connect



Training Memo - page 2

With very few exceptions, there is no reason new employees would not be able to complete this requirement. Training costs, including replacement costs are borne by the Training Unit. There are four academies scheduled each year and if needed, additional academies can be scheduled.

Because the completion of the Division's Basic Academy is a condition of probation, any employee who is on probation and does not complete the Basic Academy within the probationary period will be terminated. It is imperative that supervisors register and schedule probationary employees to attend the academy for the earliest possible date.

New hires of direct care staff must be advised of these requirements and must accept these conditions before an offer for employment is extended.

We all have personal lives that are affected by conditions of our employment. I wish everyone's personal priorities and timetables could be accommodated all the time, but they can't. We all have a responsibility to ensure this policy is followed. Please plan early when filling vacant positions to make sure the new employee has every opportunity to attend the next available academy.

Any request for exception to this policy must be made in writing to the Division Director.

As a Division, we have made great strides in this direction and I thank those of you that have been diligent in getting new employees trained.



**State of Utah**

**Department of  
Human Services**

**OLENE S. WALKER**  
*Governor*

**GAYLE F. McKEACHNIE**  
*Lieutenant Governor*

**ROBIN ARNOLD-WILLIAMS, DSW**  
*Executive Director*

**BLAKE D. CHARD**  
*Director*  
*Division of Youth Corrections*

To: All Division Employees  
From: Blake Chard  
Date: May 18, 2004  
Re: Conflict of Interest Policy

The Department and Division have Conflict of Interest Policies for several reasons. One is to avoid the unfair support or perception of unfair support of an entity with whom the Division contracts. Another reason is to avoid excessive work hours at a secondary job, which may have a negative impact on that employee's performance while working for the Division.

In the past, the Conflict of Interest Policy has been interpreted differently. While the Department's Conflict of Interest Policy identifies numerous types of conflicts and potential conflicts, the purpose of this memo is to clarify the Division's position on secondary employment. Refer to DHS Policy 02-02 for clarification on other types of conflicts (Political, Related-Party, Personal Gain, and Time Conflicts).

Starting July 1, 2004, all full-time employees, whether or not they have outside employment, must submit a signed Conflict of Interest Declaration. We will continue to use the Department Conflict of Interest form found in the DHS Policy Manual. All full-time employees must submit a completed Conflict of Interest Declaration form prior to accepting any outside employment or upon hire with the Division. Also, if an employee has previously been approved for outside employment and the job duties of that employment change substantially, a new form must be submitted.

If you do not have any secondary employment, write "No outside employment" in Section "2. OUTSIDE ACTIVITY," check the first box in the Certification Section, then sign and date the form. Forward the signed form to your supervisor for his/her signature. The supervisor will ensure the original is placed into the employee's personnel file after all appropriate signatures are obtained. Forms will be maintained in the employee's permanent personnel file.

By Department Policy 02-02 III, the following conflicts or potential conflicts require an additional level of approval. The employee's Assistant Program Director (APD) will review and approve, or deny in writing, the employee's written request except in the following situations:

1. Outside employment exceeds 20 hours per week. Along with the Conflict of Interest Declaration form, the APD will submit an analysis of the impact the employment could have on the employee's ability to perform Division assigned work.
2. Outside employment is with a contractor who currently provides services to clients of the Department.
3. The outside work involves (a) providing services to a current client of the Department or to a person who has been a client within the preceding six months; (b) the employee has, or previously has had, direct work-related contact with the client; and (c) the outside employment involves a fee paid directly to the employee, a relative of the employee, or a business owned wholly or in part by the employee.
4. The outside volunteer service includes service on a policy-making or advisory board of an institution or agency that does business with the Department.

The Division's Executive Management Team (EMT) will review Conflict of Interest Declarations should any of the above situations occur. The EMT meets monthly and will review the Declarations forwarded to it for approval/denial.

While considering whether to approve or deny Declarations forwarded to it, the EMT has adopted the following guidelines:

- 1) Program Directors, Assistant Program Directors, Supervisors, and Case Managers will not be permitted to work for any DHS contracted private provider that provides residential and/or clinical services. Exceptions may be considered for the completion of graduate practicum hours and clinical practice hours required for licensure by the Division of Occupational and Professional Licensing (DOPL).
- 2) Division employees may be allowed to work for a DHS contracted private provider under the following conditions:
  - a) The employment may not be for the following in-home residential service codes: YIR, YFB, YRC, YLR, YIS, DIR, DFB, DRC, DLR, DIS, and DTS.\*
  - b) Outside employment does not exceed 24 hours per week.
  - c) The employee has no referring capabilities.
  - d) There is an eight hour rest period between jobs with a written schedule from the secondary job to document the schedule.
  - e) Division scheduling needs have priority over outside employment schedules.

Please remember that it is your responsibility as an employee to read the DHS Conflict of Interest Policy and submit the Conflict of Interest Declaration to your supervisor prior to accepting new employment.

Because the above guidelines represent a change as to how the Conflict of Interest Policy has been interpreted in the past, employees who now find themselves in a position where they must leave their outside employment will have until January 1, 2005, to come into compliance.

- \* YIR/DIR (Individual Residential Care)
- YLR/DLR (Independent Living Residential Care)
- YRC/DRC (Group Residential Care)
- YFB/DFB (Family Based Residential Care)
- YIS (Intensive Supervision - Tracking)
- DTS (Individual Residential Transitional Care)
- DIS (Individualized Residential Treatment Services, Cognitively Impaired)



State of Utah

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

Department of Human Services

LISA-MICHELE CHURCH  
*Executive Director*


Office of Human Resources

Rosanne Ricks  
*Director*

MEMORANDUM

TO: Dan Maldonado, Director  
Division of Juvenile Justice Services

Gaby Anderson, Deputy Director  
Division of Juvenile Justice Services

FROM: Jay G. Jensen, Jr., Human Resource Specialist  
Department of Human Resource Management 

DATE: September 6, 2006

SUBJECT: Reduced Work Schedules

Recently the Department of Human Resource Management (DHRM) was made aware that DJJS managers are reducing the work schedules of some full-time employees who are dealing with medical issues, or who are going to school, for the purpose of extending an employee's eligibility to receive benefits. DJJS management has erred in allowing this practice.

DHS policy states: "Agency management may not change an employee's work schedule from full time to part time for the purpose of extending an employee's eligibility to receive benefits." DHS policy also states: "Employees may use approved leave (other than sick leave), or request adjusted work schedules to attend class, practicum, and complete related assignments."

To reduce an employee's work schedule in an established full-time position violates these DHS policies. DHRM recommends that DJJS managers be directed to stop this practice immediately. DHRM has also made this recommendation to other DHS agencies, including DCFS and DSPD.

If the practice of reducing an employee's work schedule in a full-time position continues, it would be inconsistent with what DHRM is recommending to other DHS agencies. Furthermore, if this practice continues, the Utah Division of Risk Management may not indemnify the agency if liability issues arise.

If you have any questions, please contact me at 538-4231.